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# INDONESIA AND EAST TIMOR
# The prisoner releases so far

26 August 1998 SUMMARY AI INDEX: ASA 21/84/98
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On 4 June 1998, Amnesty International and Human Rights Watch issued an appeal for the release of prisoners of conscience in Indonesia and East Timor and for the convictions of political prisoners to be immediately reviewed. Since then, the new government has released several dozen prisoners, dropped charges against some detainees whose trials were pending, and "rehabilitated" others who had served sentences under the previous administration. Many of these releases took place in connection with 17 August, Indonesia's independence day, which is traditionally a time when releases and remissions are announced. The released prisoners include three elderly men involved with the Indonesian Communist Party in the 1960s; several prisoners accused of links to armed nationalist movements in Aceh, Irian Jaya, and East Timor; and others accused of various political offenses.

Amnesty International and Human Rights Watch welcome the releases. However both organizations urge the Indonesian Government to ensure that there is a comprehensive release program for all those detained for their peaceful political activities and for the automatic review of convictions against all political prisoners.

**KEYWORDS:** RELEASE1 / POLITICAL PRISONERS1 / LONG-TERM IMPRISONMENT / AGED / PRISONERS OF CONSCIENCE / GOVERNMENT CHANGE

This report summarizes a 7-page document (2,736 words), : INDONESIA AND EAST TIMOR The prisoner releases so far (AI Index: ASA 21/84/98) issued by Amnesty International and Human Rights Watch on 26 August 1998. Anyone wishing further details or to take action on this issue should consult the full document.

**INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM**

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# INDONESIA AND EAST TIMOR
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On 4 June 1998, Amnesty International and Human Rights Watch issued an appeal for the release of prisoners or conscience in Indonesia and East Timor and for the convictions of political prisoners to be immediately reviewed. Since then, the new government has released several dozen prisoners, dropped charges against some detainees whose trials were pending, and "rehabilitated" others who had served sentences under the previous administration. Many of these releases took place in connection with 17 August, Indonesia's independence day, which is traditionally a time when releases and remissions are announced. The released prisoners include three elderly men involved with the Indonesian Communist Party in the 1960s; several prisoners accused of links to armed nationalist movements in Aceh, Irian Jaya, and East Timor; and others accused of various political offenses.

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### I. Independence Day Releases

*The following people were released in accordance with Presidential Decree No.42/G/1998, issued by President Habibie on 15 August 1998.*

**Agustiana Suryana** was serving an eight year prison sentence in Ciamis, West Java after being found guilty of subversion in relation to a major riot in the town of Tasikmalaya in December 1996. A community activist, Agustiana was believed to have been arrested on the basis of his peaceful activities.

**Mimih Khaeruman bin KBA Maksum Iskandar**, who was not in custody, was convicted *in absentia* to 10 years' imprisonment for his alleged role in the Tasikmalaya disturbances of December 1996.

**Mohamad Arif** (alias Arief Kusno Sapurtro and Imam Mahdi Prawironegoro), the leader of a messianic movement in East Java revering Indonesia's first president, Sukarno, was jailed in Malang Prison, East Java in 1997. The group was referred to as *Divisi 10*. All of its members were serving their sentences in Malang, East Java and 31 of them were released last month. Mohamad Arif was the last member of the group to be released.

*PKI Prisoners*

**Manan Effendi**, 80, was arrested on 9 October 1965 in Balikpapan, Kalimantan. He was sentenced to death in 1967. His sentence was commuted to life imprisonment in 1982. Since 1987 he had been serving his sentence in Kalisosok Prison, Surabaya. A former editor of a local newspaper, he was the vice chairman of a branch of the Indonesian Communist Party (*Partai Komunis Indonesia,* PKI) in East Kalimantan. He is confined to a wheelchair as a result of two strokes in 1997.

**Alexander Warouw**, 81, was involved with a Kalimantan branch of a trade union linked to the PKI. Arrested in October 1965, he was tried for subversion. In 1967 he was sentenced to life imprisonment and was imprisoned at Balikpapan Prison in Kalimantan. He is believed to suffer from diabetes. Alexander Warouw was born in Menado, North Sulawesi.

**Pudjo Prasetyo**, 72, was a shipbuilder and a trade unionist who joined the PKI. He was arrested in 1967 in Central Java, held for 12 years before being tried and sentenced to life imprisonment in 1979. He was serving his sentence in Kedungpani Prison, Semarang. For the last 13 years, he has suffered from Parkinson's Disease which has severely affected his physical mobility. He is confined to a wheelchair.

*Acehnese Prisoners*

**Abdullah SH bin TM Daud,** 33, sentenced to four years' imprisonment for his role in allegedly using money from the sale of marijuana to buy a vehicle for the use of the armed secessionist group, *Aceh Merdeka*, (the Free Aceh Movement). He was arrested in July 1996, tried in Banda Aceh under the Anti-subversion Law and sentenced in December 1997.

**Ruslin Usman bin Usman**, 27, was also tried under the Anti-subversion Law for his alleged involvement with *Aceh Merdeka* as a driver. He was tried in Banda Aceh and sentenced in December 1997 to a prison sentence of three years and six months.

**M Yusuf bin M Yoned**, 31, was arrested in July 1996 and tried in Banda Aceh under the Anti-subversion Law. He was sentenced to three years' imprisonment and imprisoned in Banda Aceh. He was accused of involvement in, and providing assistance to, *Aceh Merdeka,* and involvement in an *Aceh Merdeka* linked murder.

**M Yusuf bin Makmud,** 32, was tried under the Anti-subversion Law for his alleged involvement with *Aceh Merdeka* and received a prison sentence of four and a half years on 11 February 1998. He was imprisoned in Lhokseumawe. Among the accusations against

him was obtaining food for *Aceh Merdeka*, being an accomplice to a bank robbery for the organization, and receiving stolen money.

**Mustamir bin Saleh,** 18, was imprisoned in Lhokseumawe. He was arrested in February 1997 and tried for his alleged involvement with *Aceh Merdeka,* including the storage of weapons. He was sentenced to four years' imprisonment.

**Asnawi bin Hasballah,** 29, was arrested in March 1997 by Indonesia's Special Forces Command, Kopassus, and was tried in Lhokseumawe under the Anti-subversion Law. Accused of being a member of *Aceh Merdeka* and involvement in assisting the movement to obtain weapons, he was sentenced in 1998 to six years and six months in jail. He was jailed in Lhokseumawe Prison.

**Faisal bin Abdullah**, 27, was arrested by the military in February 1997 and tried in Lhokseumawe under the Anti-subversion Law. He was sentenced to seven years and six months' imprisonment in February 1998 after being found guilty of involvement with *Aceh Merdeka* and receiving stolen money for use by *Aceh Merdeka*. He was imprisoned in Lhokseumawe Prison.

**Hasan bin Hamid**, 40, was arrested by military intelligence officers in February 1997 and tried in Lhokseumawe under the Anti-subversion Law. He was sentenced to four years and six months in prison in February 1998 after he was found guilty of being a member of *Aceh Merdeka*, of seeking funds for the movement and of receiving stolen money for the movement's use. He was imprisoned in Lhokseumawe Prison.

**Nurhayati Hasani [f],** around 49, was arrested in 1994 and was serving a six-year sentence in the women's prison in Medan. Along with her husband, **M Amin bin Samidan** (alias Amin Panga), she was convicted of subversion in 1995 after being found guilty of involvement with *Aceh Merdeka*. However, it is believed, that she and her husband were imprisoned because they provided medical treatment to a member of the armed resistance who lived in their village.

*Irian Jaya Prisoners*

**Drs Jacob Rumbiak,** a former employee at the office of the Governor of Irian Jaya, was sentenced to 17 years' imprisonment in 1990 following the arrest of 40 people in 1989 and 1990 who were accused of planning demonstrations in support of "West Melanesian" independence. He was serving his sentence in Cipinang Prison in Jakarta and is believed to have been released on August 20. Three other Irian Jaya prisoners, **Franciscus Oweng**, **Jacob Matui** and **Martinus Kambu**, tried in connection with the same peaceful demonstrations and imprisoned in Kalisosok Prison in Surabaya, were released on 17 August. **Habel Tarati**, another prisoner from Irian Jaya who was serving an 11 year

sentence in Kalisosok Prison for his role in the peaceful demonstrations was released in February 1998.

**Hendrikus Kowil**, **Kasimirius Iwop** and **Benediktus Kuawamba**, all from Woropko, Merauke, Irian Jaya were released from Abepura Prison in Irian Jaya. They were serving seven year prison sentences following their conviction in May 1996 under Article 340 of the Indonesian Criminal Code for alleged involvement in an attack on a military convoy between the villages of Upkim and Ikcan in Merauke in October 1995. One soldier was apparently killed in the attack. Three other men were tried in relation to the same incident, two of whom are still serving prison terms in Abepura Prison. All were said to have been tortured.

*East Timorese*

**Pedro da Luz, Freitas Morreira** and **Marcelino Fraga** were detained in Baucau Detention Centre. It is not clear if they had been tried.

**Manuel da Silva,** detained in Ermera Detention Centre, was arrested for spreading leaflets insulting the Indonesian President on the anniversary of the 1991 Dili Massacre, on 12 November 1997.

**Alexio F Correia**, (or Alexio Cortereal) was arrested in September 1997 and detained in Ermera Detention Centre. He was accused along with his father of hiding guns in his house. He was believed to have been tried under Article 106 of the Indonesian Criminal Code and sentenced to either two or five years' imprisonment.

**Akau da Costa** (alias Macau Metan) was detained in Dili. He was in custody for allegedly attending a clandestine meeting to discuss "sabotage" of the May 1997 parliamentary elections, and had been arrested on a previous occasion for allegedly throwing stones.

**Gasfar da Silva,** (or Gaspar da Silva) was granted absolution. He was arrested in November 1997 and was accused of being a member of the clandestine movement. He was thought to have been detained in Becora Prison in Dili and a trial had begun. It is not clear when he was released from custody or what stage the court proceedings were at when he was released.

**Bobby Xavier Luis Pereira,** not in custody, was granted absolution. He had been facing charges under Article 338, 106 and 108 of the Indonesian Criminal Code and had previously been detained in police custody in Dili.

**David Dias Ximenes**, not in custody and granted absolution was released on 6 June after his trial was dismissed because of insufficient evidence. He was alleged to have masterminded an attack on the headquarters of Brimob (Police Mobile Brigade) in Dili in May 1997

**Salvador da Silva,** also not in custody, was granted absolution. He was believed to have been sentenced to three years' imprisonment under Article 187 of the Indonesian Criminal Code for his involvement in disturbances in Baucau in June 1996. He had been serving his prison sentence in Kalisosok Prison in Surabaya, and it is not known when he was released.

**II. Releases prior to Independence Day**

**Abdullah bin Sarmili** and **Syarifudin bin Murdali** had been sentenced to prison terms of one year each in January 1998 under Article 137 of the Criminal Code for distributing pamphlets which were critical of the president. They were believed to have been imprisoned in Tangerang Detention Centre.

**Aberson Marle Sihaloho** is a member of the Indonesian Democratic Party (PDI) who supported ousted party leader Megawati Sukarnoputri. Aberson was convicted of insulting the head of state in July 1997 and sentenced to nine months' imprisonment. He remained at liberty pending an appeal against his conviction.

**Ahmad Taufik** and **Eko Maryadi**, two members of the Independent Journalists' Alliance (AJI) were released conditionally from prison in July 1997. The two men are no longer required to report to the authorities and the authorities have stated that they will no longer be under surveillance.

**Andi Syahputra** was released on 28 May 1998. A printer who was arrested in October 1996 for his involvement in printing the underground magazine, *Suara Independen* (Independent Voice), he was sentenced to two years and eight months' imprisonment for "insulting the president."

**Asep Ilyas FM bin KH Yusuf Sidiq** and **Abdul Muis bin Ma'ruf**, both were in custody in Tasikmalaya, West Java, having been convicted following a major riot in Tasikmalaya, in December 1996.

**Coky Yahya Runasi Tahal Guntur Aritonang** was released in a presidential amnesty on 10 June 1998. He had been sentenced to two years and six months' imprisonment in July 1995 for "insulting the president" after he distributed "illegal" pamphlets on various university campuses.

**Muchtar Pakpahan**, head of the independent Indonesian Prosperity Trade Union (SBSI), was released in May 1998. He had been serving a four-year prison sentence for incitement in relation to riots in Medan, North Sumatra in 1994. He was also on trial for subversion and for spreading hatred against the government in relation to the July 1996 riots in Jakarta. All charges against him have been dropped.

**Nuku Soleiman** was released on 28 May 1998. An activist with the organization Pijar, he was serving a five year prison sentence for "insulting the president" in connection with a demonstration against the national lottery in December 1993.

**Rachmad Buchori** was on trial under Article 134 of the Criminal Code. Rachmad was the secretary for the author of a banned book criticizing former President Soeharto. He was accused of defamation in connection with the contents of the book.

**Slamet Bibit** and **Faud Chafidin** were arrested in April 1996 and were both sentenced to two years imprisonment for exposing election irregularities during the 1992 general election.

**Sri Bintang Pamungkas** was released on 25 May 1998. A former member of parliament and founder of the United Development Party (PUDI), he was on trial for subversion in connection with the establishment of PUDI. He had also been sentenced to two years and ten months imprisonment for "insulting the president" in relation to a speech which he made in Germany in 1995. All charges against him have been dropped

*Sukarnoist Movement Prisoners*

Thirty-one people, including three women, who were members of a group known as *Divisi 10* were arrested and tried in 1997 after the authorities claimed to have uncovered a messianic movement in East Java revering Indonesia's first president, Sukarno. All were serving their sentences in Malang, East Java. Five members of the Indonesian Armed Forces, at least three of whom are known to have been jailed for their involvement with *Divisi 10,* were released from military custody in Surabaya. They were convicted of desertion.

*People's Democratic Party (PRD)*

Four members of the PRD and its affiliated organizations who were arrested and tried for subversion in the aftermath of the government-backed raid on the headquarters of the PDI (Indonesian Democratic Party) in July 1996 have been released. **Wilson bin Nurtiyas,** who received a five year jail sentence in June 1997 and **Ken Budha Kusumandaru**, who received a four year jail sentence in April 1997, were both released on 27 July from

Cipinang Prison in Jakarta. **Coen Husein Pontoh**, who received a three and a half year jail sentence, and **Mohamad Sholeh** who received a four year sentence, were both released on 25 July from Kalisosok Prison in Surabaya.

*East Timorese*

**Antonio Gusmão Freitas,** who was serving a one year and seven month prison sentence, **Jose Gomes,** serving a four year and six month sentence, **Luis Pereira,** serving a two year and three month sentence, were all released following a presidential amnesty announced on 10 June 1998. All three men had been arrested and convicted in connection with disturbances in Baucau on 10 and 11 June 1996.

**Bernadino Simoes, Domingos da Silva, Francisco de Jesus** (also known as Francisco de Deus), **Juvenal dos Santos, Paulo Silva Carvelho, Paulo Soares, Silverio Ximenes,** and **Vincente M da Cruz** were released and the charges against them dropped in the presidential amnesty of 10 June 1998. All eight men had been arrested and were being tried in connection with disturbances at the University of East Timor (Untim), Dili on 14 November 1997.

**Cancio Antonio, Bendito Amaral, Hermenegildo da Costa, Thomas Agusto Coreia**, all of whom were serving one year prison sentences, were released in the presidential amnesty of 10 June 1998. All four men had been arrested in connection with a demonstration at the Mahkota Hotel in Dili on 23 March 1997.

**Domingos da Silva, Fernao Malta Lebre, Ivo Miranda** and **Joaquim Santana** were released following a decision by the Semarang District Court of 1 June 1998 to drop the charges against them. All four were arrested in Semarang, Central Java in September 1997 and accused of being involved in a bomb-manufacturing operation in Semarang.

Another eight East Timorese detainees, arrested during March and April 1998 for alleged involvement in the resistance, are also reported to have had charges against them dropped and been released. There names are, **Albertino Goncalves Soares da Costa, Alfredo Amaral, Basilio Mendonca Freitas, Bernardo dos Santos, Elias de Araujo, João dos Santos, Marcal Amaral Magno Guterres** and **Mario Ximenes Reis**.

## III. Release Prior to Change in Government

One Acehnese prisoner whom Amnesty International and Human Rights Watch/Asia reported as being detained in their 4 June report was Drs Adnan Beuransyan, a journalist with the newspaper *Serambi Indonesia,* who had in fact just been released at the time.